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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,185	10/12/2003	Felix Rodriguez	JDN 0301	2582

7590 10/05/2006  
Aqua Maker LLC  
10627 Kinghurst Drive  
Houston, TX 77099

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/648185

EXAMINER
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ART UNIT	PAPER
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20061001

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Commissioner for Patents

Receipt is acknowledged of a request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e) and a submission, filed on July 18, 2006. The submission, however, is not fully responsive to the prior Office action because Applicant has canceled all of the claims drawn to the elected invention (i.e. claims 12, 13, 15 and 16) and has presented only claims drawn to non-elected inventions (i.e. claims 1-11 and 17-29). See the Restriction Requirement dated May 18, 2005, and Applicant's response filed July 25, 2005. Since Applicant cannot file an RCE to obtain continued examination on the basis of claims that are independent and distinct from the claims previously claimed and examined as a matter of right, i.e. Applicant cannot switch inventions (see M.P.E.P. § 706.07(h)VI(B), the above noted submission is deemed to be non-responsive (see M.P.E.P. § 821.03).

Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period for reply supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to I. Cintins whose telephone number is 571-272-1155. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Duane Smith, can be reached at 571-272-1166.

The centralized facsimile number for the USPTO is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Ivars C. Cintins**  
**Primary Examiner**  
**Art Unit 1724**

I. Cintins  
October 1, 2006